(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

MISCELLANEOUS CIVIL APPLICATION NO. 699 OF 2004
IN TAX APPEAL NO.40 of 2002

Office Note, Office Memoranda of Quorum, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Mr. E. P. Badri Narayanan, advocate for the applicants.

Mr. S. R. Rivankar, advocate for the respondent.

CORAM : B.H. MARLAPALLE &
N.A. BRITTO, JJ.

DATE : 7th December, 2004.

P.C.:

Mr. Badri Narayanan had caused his appearance on behalf of the assessee and the appeal has been admitted by Order dated 5th August, 2002.

2. This application has been moved by Mr. Badri Narayanan seeking leave to withdraw his appearance on behalf of the original assessee as Mr. Badri Narayanan has been appointed as Additional Standing Counsel for the Union of India. Notices were issued to the

respondents and none appears for respondent no.1.

3. Notice was issued and the office report shows that when fresh service was sought to be caused on the Managing Director, Shri Madhusudan Joshi, his wife refused to accept the said notice on behalf of her husband.

4. It appears that the assessee Company has not responded to the Court notice and it is necessary for the Company to cause its appearance in Tax Appeal No. 40/2002.

5. We, therefore, allow this application and direct the registry to issue a fresh notice to the original assessee returnable after four weeks. Mr. Badri Narayanan also undertakes to intimate to the

said Company about this Order. Application disposed of accordingly.

B. H. MARLAPALLE, J.

N.A. BRITTO, J.

mc.